

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOSHUA COPENHAVER,

Plaintiff,

Case No. 05-CV-73286  
HON. BERNARD A. FRIEDMAN

vs.

MICHIGAN DEPARTMENT OF  
CORRECTIONS, et al.,

Defendants.

/

**OPINION AND ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION [DE # 100] DENYING PLAINTIFF'S MOTION  
FOR EMERGENCY INJUNCTIVE ORDER**

This matter is before the Court on Magistrate Judge R. Steven Whalen's February 29, 2008 Report and Recommendation ("R & R") [DE #100]. Magistrate Judge Whalen recommended that the Court deny Plaintiff's motion for "Emergency Injunctive Order," in which Plaintiff seeks to enjoin enforcement of a revised grievance policy of the Michigan Department of Corrections. Plaintiff did not file an objection to the R & R. The Court has reviewed this matter de novo as required under FED. R. CIV. P. 72(b). Having reviewed the report and recommendation, the Court hereby accepts and adopts the report and recommendations of Magistrate Judge Whalen, as though they were the findings and conclusions of this Court.

Plaintiff's motion is filed pursuant to FED. R. CIV. P. 60(b). As explained in detail in the R & R, Plaintiff has not met his burden of proving that the circumstances in his case clearly demand injunctive relief.

Accordingly,

IT IS ORDERED that the Magistrate Judge's Report and Recommendation is ACCEPTED and ADOPTED.

IT IS FURTHER ORDERED that Plaintiff's motion for an emergency injunctive order is DENIED.

Date: March 18, 2008

s/Bernard A. Friedman\_\_\_\_\_  
HON. BERNARD A. FRIEDMAN  
CHIEF UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document  
was served upon counsel of record by electronic and/or first-class mail.

s/Carol Mullins  
Case Manager to Chief Judge Friedman